

REMARKS

This Amendment is being filed in response to the Final Office Action mailed February 20, 2007, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the remarks to follow are respectfully requested.

In the Office Action, claims 1-5, 7-8 and 11-16 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,025,837 (Matthews III) view of U.S. Patent No. 5,987,509 (Portuesi) U.S. Patent No. 7,024,679 (Sei). Claim 6 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Matthews, III in view of Portuesi, Sei and U.S. Patent No. 5,635,989 (Rothmuller). Further, claim 9 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Matthews III in view of Portuesi, Sei and U.S. Patent No. 6,367,080 (Enomoto). It is respectfully submitted that claims 1-9 and 11-16 are allowable over Matthews III, Portuesi, Sei Rothmuller and Enomoto for at least the following reasons.

Matthews III is directed to an electronic program guide (EPG) with hyperlinks to target resources. When a viewer activates a hyperlink within the EPG, a user interface unit launches a browser to activate the target resource specified in the hyperlink, such as hyperlinks 58 shown in FIG 2.

As correctly noted by the Examiner on page 3 of the Office Action, Matthews III does not teach or suggest "allowing access to the multimedia material in response to a signal from a broadcaster of the scheduled material". Portuesi is cited in an attempt to remedy this deficiency in Matthews III.

Portuesi is directed to a system for displaying an active uniform network resource locator (URL) during playback of a media file. As recited on column 5, lines 32-34, a URL track 20 provides information about URLs to display and make active during certain periods of time with respect to images 24 in image track 18.

As correctly noted by the Examiner on page 4 of the Office Action, Matthews III and Portuesi do not teach or suggest "causing the multimedia material to be cached with locks; and allowing access to the multimedia material in response to a signal from a broadcaster of the scheduled material that unlocks at least one of

the locks," as recited in independent claim 1, and similarly recited in independent claim 12. Sei is cited in an attempt to remedy this deficiency Matthews III and Portuesi.

Sei is directed to a program delivery system 100 shown in FIG 1 that includes a subscriber management system 124. As recited on column 3, lines 50-54, the subscriber management system 124 contains account information for all users such as customer names, addresses, set top box addresses, credit history, subscription status, and video on demand (VOD) status. This information is used to enable programs on set top boxes 120-1 to 120-n of each user.

As shown in FIG 6, a set top box 600 includes a controller 612 that manages the operation of the set top box 600. As recited on column 7, lines 45-51, digital channels are selected by the set top controller 612 and downloaded to a program server 132 for later viewing. The set top controller 612 also retrieves user specific information, club specific information and programming information from a program request database 136 in order to entitle club programs stored on the program server 132.

As specifically recited on column 13, lines 36-39, referring to FIG 8A:

In step 816, the user designates one of the presented club programs. If necessary, after obtaining entitlement, the controller 612 enables playback of the stored club program from the program server 132 in the set top box 600.
(Emphasis added)

Assuming, arguendo, that such a playback enablement is equivalent to "causing the multimedia material to be cached with locks; and allowing access to the multimedia material in response to a signal ...that unlocks at least one of the locks," as recited in independent claim 1, and similarly recited in independent claim 12, this playback enablement is performed by the controller 612 of the set top box 600.

In stark contrast, the present invention as recited in independent claim 1, and similarly recited in independent claim 12 which, amongst other patentable features, requires (illustrative emphasis provided):

causing the receiving apparatus to connect in advance of the scheduled broadcast time to receive multimedia material related to the scheduled material;

causing the multimedia material to be cached with locks; and

allowing access to the multimedia material in response to a signal from a broadcaster of the scheduled material that unlocks at least one of the locks.

There is simply no teaching or suggestion in Matthews III, Portuesi, and Sei, alone or in combination, allowing access to the material in response to a signal from the material broadcaster that unlocks one of the locks, as recited in independent claims 1 and 12. Rather, Portuesi merely teaches to display and activate a URL during certain periods and Sei merely teaches that the controller 612 of the set top box 600 enables playback. That is, any unlocking in Sei is done by the set top box, not by the broadcaster.

Further, any unlocking in Sei allows playback of a program, rather than providing multimedia material related to the scheduled material. That is, if there is no unlocking, than no program is played in Sei. By contrast, regarding the present invention as recited in independent claims 1 and 12, if there is no unlocking then multimedia material related to the scheduled material is not accessible, while the scheduled material itself is accessible.

It is respectfully submitted that Matthews III, Portuesi, Sei, and combinations thereof, do not teach or suggest allowing access to multimedia material, which is related to scheduled material and is cached with locks, in response to a signal from a broadcaster of


the scheduled material that unlocks at least one of the locks, as recited in independent claims 1 and 12. Rothmuller and Enomoto are cited to allegedly show other features and do not remedy the deficiencies in Matthews III, Portuesi and Sei.

Accordingly, it is respectfully submitted that independent claims 1 and 12 should be allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-9, 11 and 13-16 should also be allowed at least based on their dependence from amended independent claims 1 and 12.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded. And in particular, no Official Notices are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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